

### **REMARKS**

The applicant has had an opportunity to carefully consider the Examiner's Office Action of October 6, 2003 and believes this amendment is fully responsive to every point raised by the Examiner. Reconsideration of the application, as amended is respectfully requested. Claims 1-12 remain in the application after this amendment is entered.

### **THE OFFICE ACTION:**

Claims 1-3, 7, and 8 stand rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,552,832 to Beierle et al. (Beierle) in view of U.S. Patent No. 6,549,918 to Probert, Jr. et al. (Probert, Jr.)

Claims 4-6 stand rejected under 35 U.S.C. §103(a) as obvious over Beierle in view of Probert, Jr. and further in view of U.S. Patent No. 5,384,822 to Brown et al. (Brown).

### **THE ART REJECTIONS:**

#### **Claims 1-3 and 7-12 Patentability Distinguish over Beierle in View of Probert, Jr.**

The Examiner has rejected claims 1-3, 7, and 8 under 35 U.S.C. §103(a) for obviousness over the combination of Beierle and Probert, Jr. As recognized by the Examiner, Beierle discloses "at least one digital port connected to the digital switch for receiving digital telephone signals from the digital switch in a TDM format" (col. 2, lines 29-31). Notably, the digital port is within a transmultiplexer in a central office that interfaces between a switch at the central office and subscriber devices. As amended, claim 1 now recites "receiving raw switch data output from a digital switch, wherein the raw switch data is used for testing and maintenance of the digital switch." Amended claim 1 is distinguished from Beierle in that raw switch data for testing and maintenance is distinguished from digital telephone signals used in conjunction with normal operation of subscriber devices. Accordingly, independent claim 1 and claims dependent thereon (claims 2-6, 9, and 10) are currently in condition for allowance with respect to the combination of Beierle and Probert, Jr.

Similarly, amended claim 7 now recites “a data receiver adapted to receive raw switch data from a digital switch, wherein the raw switch data is used for testing and maintenance of the digital switch.” For the same reasons as stated above, amended claim 7 is distinguished from Beierle. Accordingly, independent claim 7 and claims dependent thereon (claims 8, 11, and 12) are currently in condition for allowance with respect to the combination of Beierle and Probert, Jr.

**Claims 4-6 Patentably Distinguish over Beierle in View of Probert, Jr. and Further in View of Brown.**

The Examiner has rejected claims 4-6 under 35 U.S.C. §103(a) for obviousness over the combination of Beierle, Probert, Jr., and Brown. Based on the foregoing remarks distinguishing independent claim 1 from the combination of Beierle and Probert, Jr., the applicant submits that claims 4-6, depending from claim 1, are currently in condition for allowance with respect to the combination of Beierle, Probert, Jr., and Brown.

Furthermore, Brown does not disclose using the output of a converter as a layout for preparing scripts or executing scripts to modify a switch database associated with the raw switch data as recited in amended claims 4-6. Brown merely discloses “a plurality of test programs or scripts... to facilitate testing of digital switch” (col. 3, lines 6-8), and “to test predetermined switch functions” (col. 5, lines 43-44), and “to locate failures” (col. 6, lines 26-27). Accordingly, the applicant submits that dependent claims 4-6 are also currently in condition for allowance with respect to the combination of Beierle, Probert, Jr., and Brown for these additional reasons.

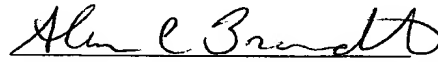
CONCLUSION

In view of the above amendments and remarks, the applicant submits that the present application is in condition for allowance. Notice of such allowance is hereby respectfully requested.

Respectfully submitted,

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